IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.262 OF 2007
IN
CRIMINAL APPLICATION NO.300 2007

Shri Ravi S. Pittie. ...Applicant.

Versus

The State of Maharashtra. ...Respondent.

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Mr.Meghashyam Kocharekar, Adv. for the Applicant.
Mr.A.H.Ponda, Adv. with A. Wagh, Adv. for orig.complainant.
Mr.Rajesh More, APP, for State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 4th May, 2007.

P.C.:

1. Heard the learned Advocate for the applicant, the learned Advocate for original complainant who is wife of the applicant and the learned APP for the State.

2. By order dated 2.2.2007, the applicant was granted interim anticipatory bail by this Court. Certain directions have also been issued in the said order dated 2.2.2007. One of them was in relation to the applicant meeting his minor daughters i.e. daughters of the applicant and the orig.complainant.

3. The applicant, who is the father of two minor daughters has now preferred this application with a prayer that he be allowed to take his daughters to his home every Friday after School and allow them to remain with him till Monday morning when he will drop them directly to the School, and as the applicant's daughters are having summer holidays he may be permitted to take his daughters to his house for about 30 days during the vacation.

4. Mr.Kocharekar, states that he is not pressing the said prayers and seeks liberty to file appropriate application at a later stage.

5. At this stage, Mr.Kocharekar states that he is limiting his prayer for extension of the directions in Paragraph-7 of the order dated 2.2.2007 i.e. the applicant should be allowed to meet his daughters at Pune Club between 6:00 p.m. to 8:00 p.m. and to spend two hours with them everyday.

6. Mr.Ponda, the learned Advocate for the orig.complainant raised a preliminary objection stating that this application is not maintainable

before this Court and the applicant ought to approach the appropriate Court. However, looking to the fact that the applicant is only seeking extension of the order dated 2.2.2007 passed in an anticipatory bail application preferred by the applicant and as this Court is dealing with anticipatory bail applications and other order matters therein, in my view this Court can consider the prayer of the applicant.

7. Mr.Ponda on instructions from his client states that the complainant-mother is taking the children to Pondicheri from 15.5.2007 for a period of 15 days.

8. In view of the above statement, the order dated 2.2.2007 is slightly modified. For the period, during summer vacation the applicant is allowed to meet his daughters at Pune Club between 6:00 p.m. to 8:00 p.m. and spend two hours with them everyday, from tomorrow i.e. 5th May, 2007 to 14th May, 2007.

9. Application is disposed of accordingly.

10. Authenticated copy of this order be supplied to the concerned parties, immediately.

(SMT.V.K.TAHILRAMANI,J.)